

# Tucson City Court Performance

## First Quarter, Fiscal Year 2005

### Executive Summary

Tucson City Court continues to improve operations and service to the public through a number of initiatives. Revenue continues to increase despite declining case load in all but three areas (parking, DUI and civil ordinance cases). The Court continues to meet the case processing times of Rule 8.2, Time Limits, of the Arizona Rules of Criminal Procedure. Two new slides, slides 19 and 20, reporting on Mental Health Court are added to this quarter's report.

#### **Process Improvement:**

The below listed projects are currently under development or refinement and are expected to be implemented in the third quarter fiscal year 2005.

- **Courtroom Automation Project** - will automate and streamline case data entry and convert files (forms) to digital image files for ease of access by court personnel and the public.
- **Automated Citation Entry (E-Ticket)** - will provide automated citation download into the court's automated case management system eliminating the need for manual data entry. Will eliminate errors associated with hand written citations including incorrect violation codes and descriptions.
- **Alternate Work Program** - will provide defendants who can not pay a monetary court ordered sanction the opportunity to meet their obligation by providing services (work) to various City departments.

These programs will provide significant cost savings while greatly improving or enhancing court operations and the services provided to the public.

#### **Collections:**

The Court continues to increase revenue through aggressive enforcement of court ordered sanctions and participation in the Fines Fees and Restitution Enforcement (FARE) program. When comparing the first quarters of fiscal years 2004 and 2005, there has been an increase of \$300,000 for fiscal year 2005.

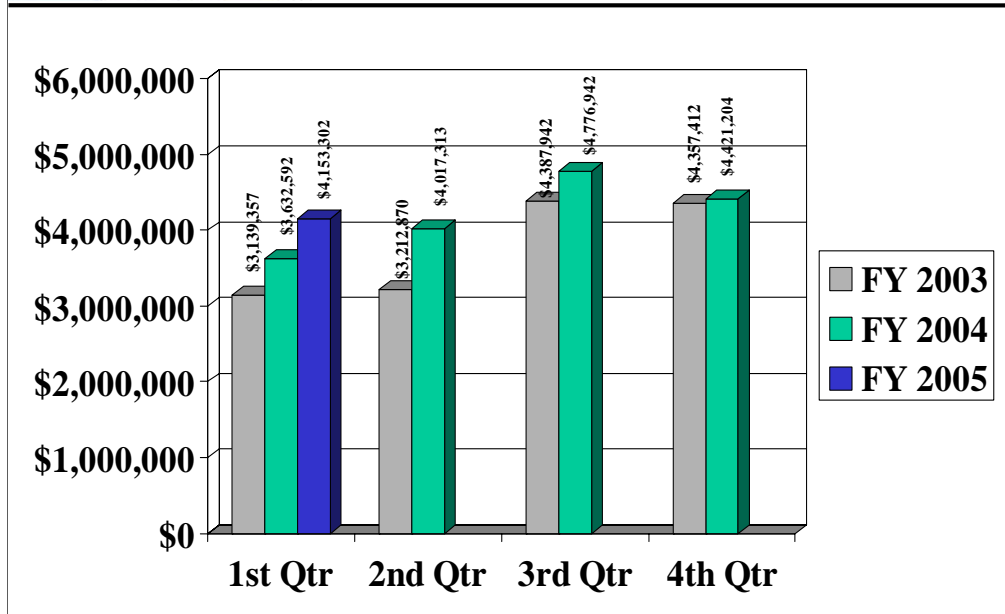
#### **Case Management**

The number of charges filed continues to decline and there is a corresponding decline in the number of trials and hearings held. Parking, civil ordinance, and DUI are areas that have seen increases in the number of charges filed: The arraignment to disposition time has slightly decreased and remains well within accepted case processing times.

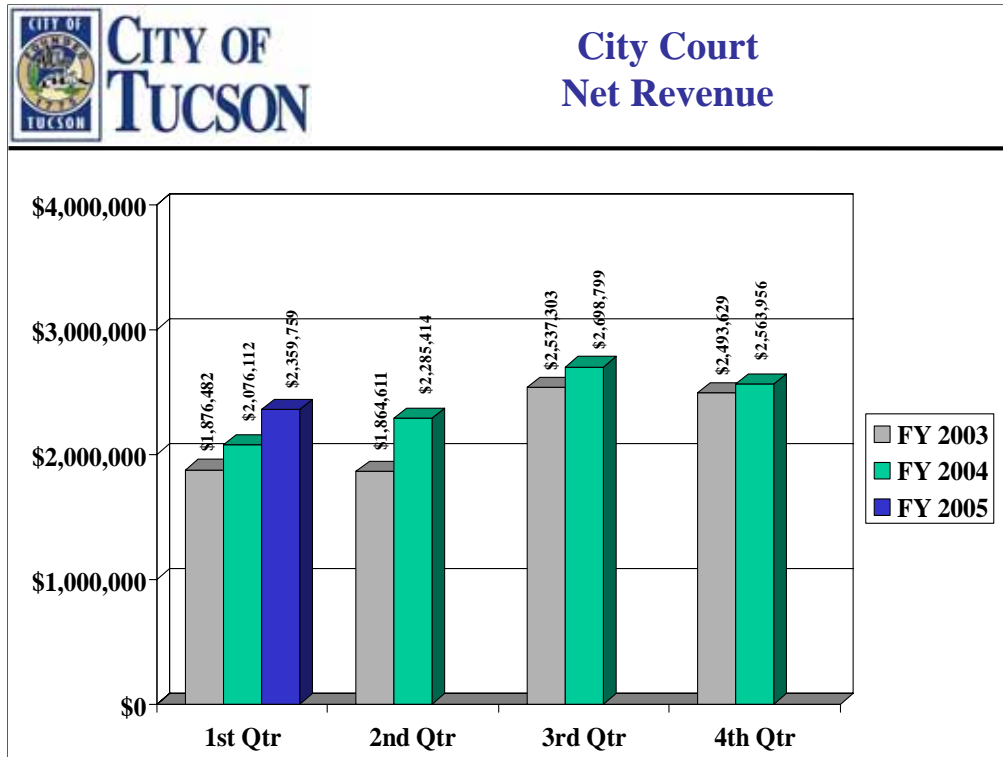


## CITY OF TUCSON

### City Court Gross Revenue

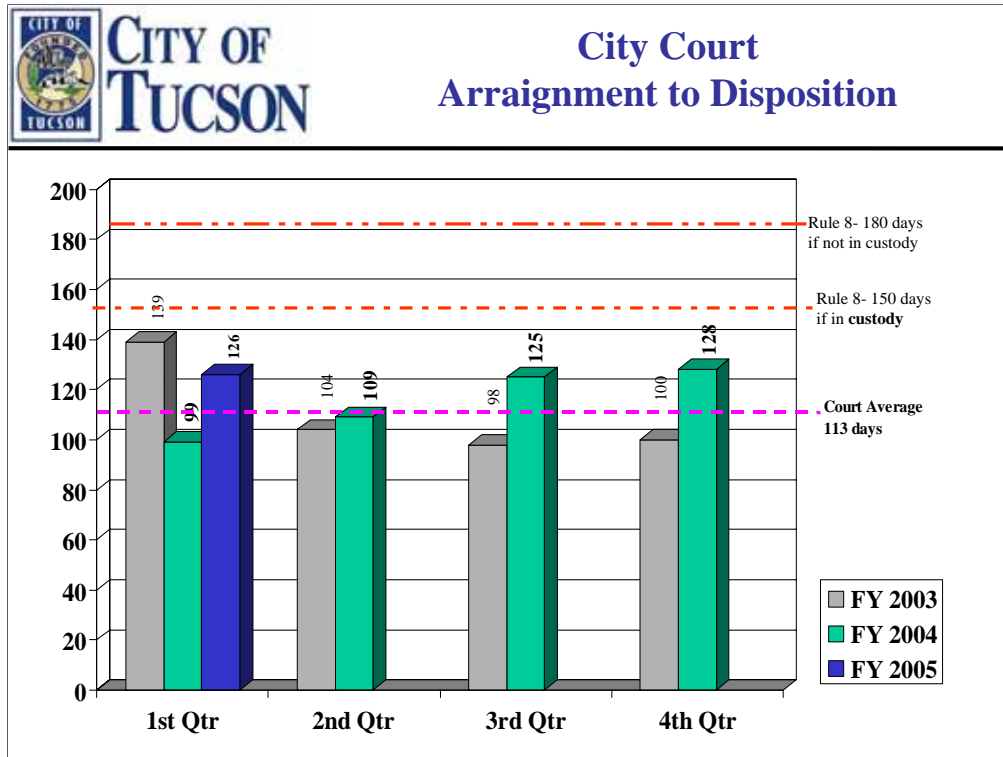


Gross revenue includes fees, fines and bond revenues. Tucson City Court has shown a consistent increase in gross revenue since 2002. Tucson City Court realized an increase of \$513,257 (14%) in gross revenue for the first quarter fiscal year 2005 as compared to the first quarter of 2004. The court has continued to realize revenue gains even though the number of charges filed by the Tucson City Police have been declining. This is due to the Court's continued focus on the enforcement of court ordered sanctions, improved efficiencies related to collections and participation the the Fines Fees and Restitution Enforcement (FARE) program.



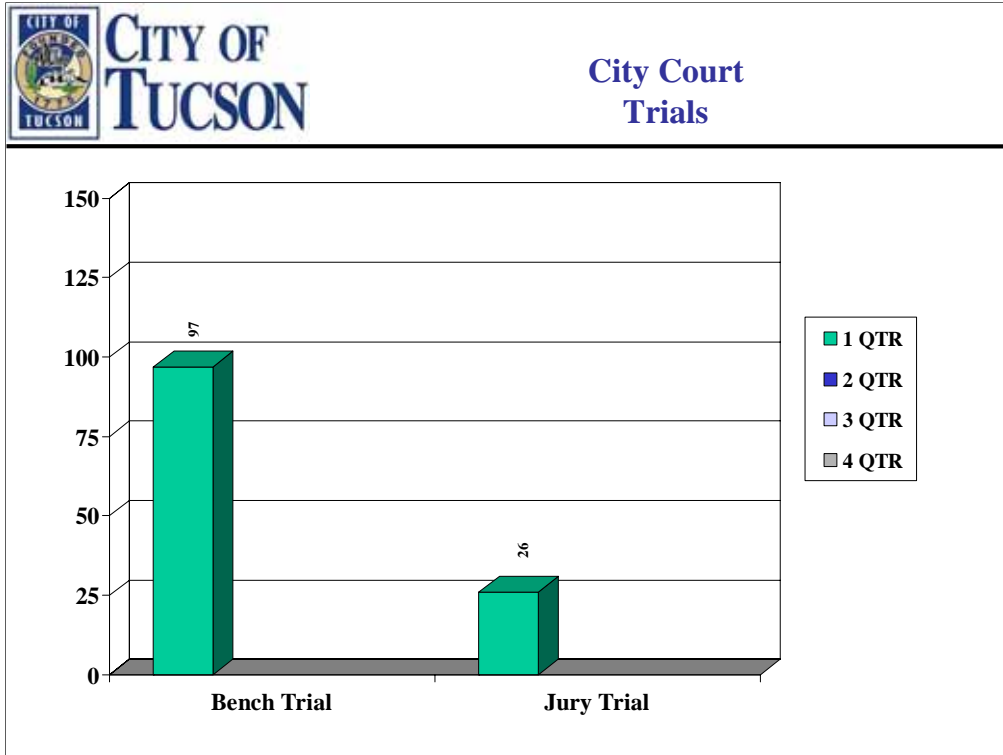
Net revenue consists of the gross revenue less (minus) bond accounts and the fees that are turned over to the state. Tucson City Court has shown a consistent increase in net revenues since 2002. Tucson City Court realized an increase of \$300,005 (14.25%) in net revenue for the first quarter fiscal year 2005 as compared to the first quarter of fiscal year 2004. This increase is due to the court's continued focus on enforcement of court ordered sanctions, improved efficiencies related to collections and participation the the Fines Fees and Restitution Enforcement (FARE) program.

The addition of the Traffic Ticket Enforcement Assistance Program (TTEAP) as an enforcement/collection tool is expected to greatly enhance the Court's ability to collect on defaulted sanctions. TTEAP allows the court to report to the Arizona Motor Vehicle Department defaulted sanctions and Failure to Appear (FTA) in criminal cases. If reported sanctions total of \$200 or there is an FTA from any one or more Arizona courts the defendant will be prevented from renewing their vehicle registrations until the their court ordered obligations are satisfied.



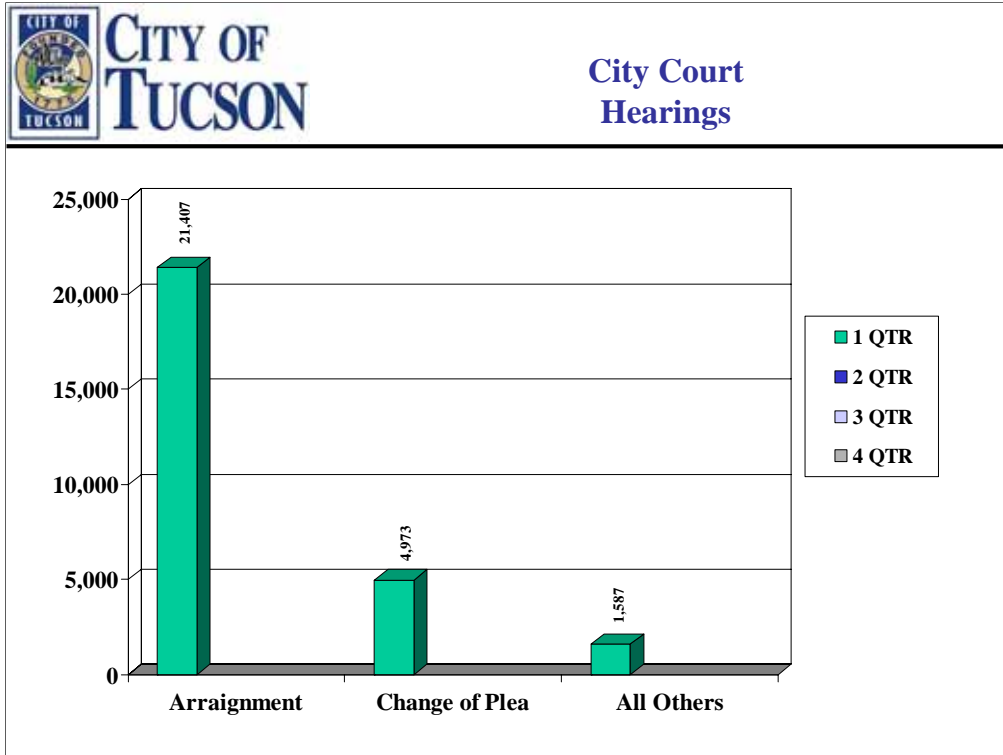
Rule 8.2, Time Limits, of the Arizona Rules of Criminal Procedure requires the court to try a case within 180 days from arraignment when the defendant is not in custody. That time is reduced to 150 days when the defendant is in custody. There has been an increase of 27 days in adjudicating cases when comparing the first quarters of fiscal years 2004 to 2005. This is partially due to the increased number of Driving Under the Influence (DUI) cases which take significantly longer to resolve and skew the average number of days upward.

Tucson City Court averages 113 days from the time of arraignment to the time of disposition (inclusive of all cases from first quarter fiscal year 2002 to date), which is well below either of the statutory time periods. Although the time from arraignment to disposition has been increasing since 2002, this rise is attributable to the switch to an all-assigned calendar and a significant reduction in the use of special magistrates. Please see page 17 for information on the use of special magistrates.



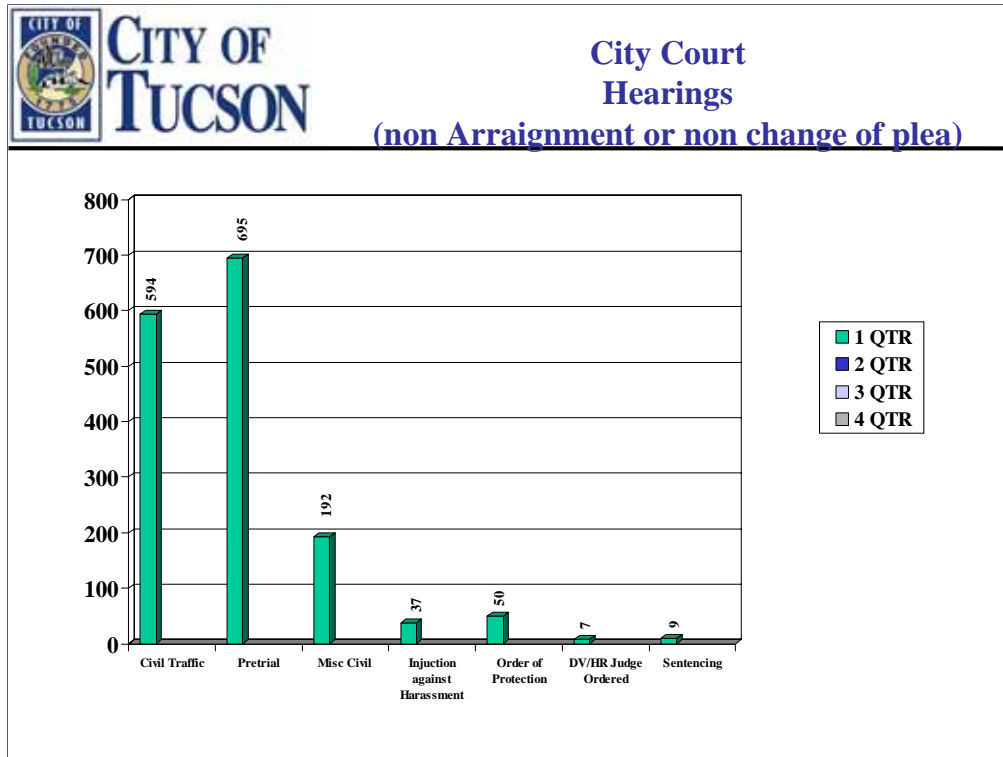
The above slide will compare bench and jury trials held in each quarter of the fiscal year with a comparison of fiscal year totals in the fourth quarter report.

Bench trials decreased by 15 trials or 13% and Jury trials increased by 7 trials or 37% when comparing the first quarters of fiscal years 2004 and 2005. The increase in jury trials appears to be related to the increase of DUI charges filed during the corresponding time periods.



The above slide will compare hearings held in each quarter of the fiscal year with a comparison of fiscal year totals in the fourth quarter report.

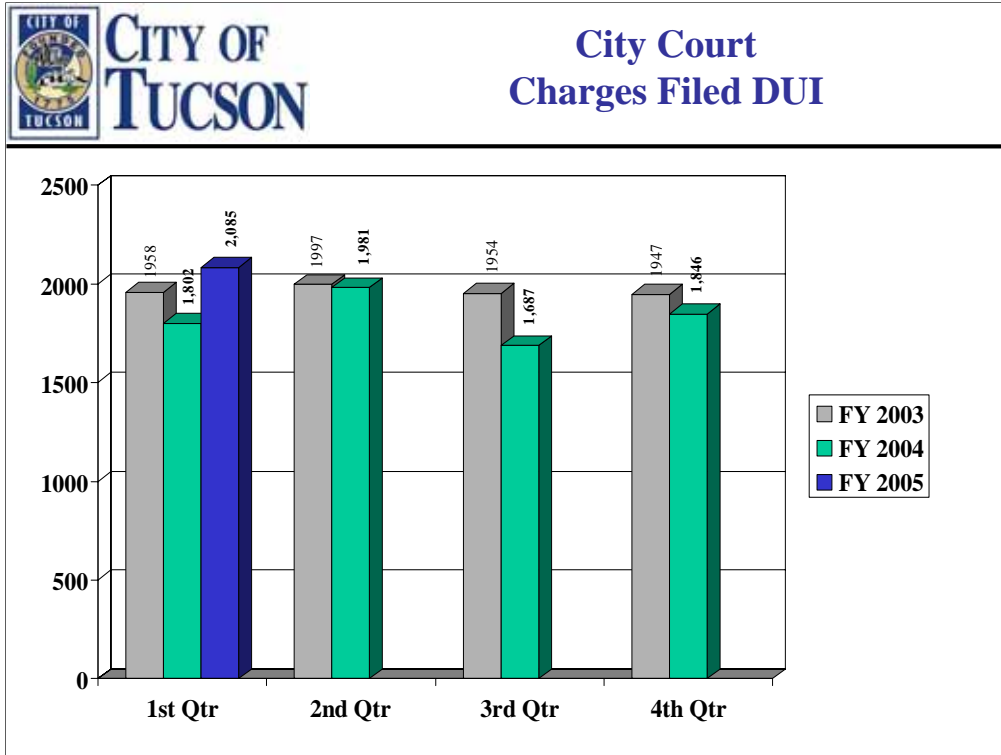
The majority of hearings in Tucson City Court consist of arraignments and change of pleas. These types of hearings are slightly increasing. Arraignment hearings increased by 1,366 or 7%, Change of Plea hearings increased by 13 or .25% and civil hearings increased by 24 or 14% when comparing the first quarters of fiscal years 2004 and 2005. The increase in arraignment hearings appears to be a result of defendants being arraigned on Failure to Appear (FTA) charges.



The above slide will compare hearings held in each quarter of the fiscal year with a comparison of fiscal year totals in the fourth quarter report.

The remaining hearings (not arraignments or change of pleas) that are held in Tucson City Court fall into the following categories: civil traffic, pretrial, Domestic Violence hearings (judge requested), Civil traffic and pretrial hearings make up the majority of non-arraignment, non-change of plea hearings. The others are hearings (sentencing, miscellaneous civil, order of protection, injunction against harassment, and domestic violence/harassment) are very low in number.

There were increases in 2 types of hearings reflected on this slide: miscellaneous civil hearings increased by 24 or 14% and magistrate requested DV hearings increased by 55 or 786% when comparing the first quarters of fiscal years 2004 and 2005.



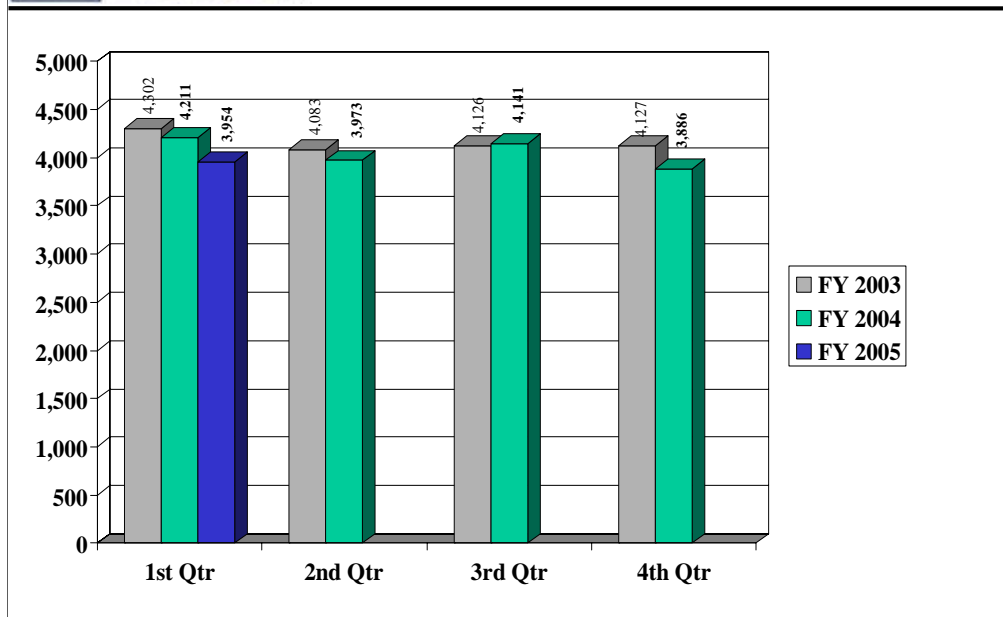
Tucson City Court has experienced an increase of 283 DUI charges (14%) when comparing the first quarters of fiscal year 2004 and 2005. DUI cases are complex and take a great deal of time to adjudicate (average 136 days). The increase in DUI charges filed and hearings held have increased the arraignment to disposition time for all cases at the court.





**CITY OF  
TUCSON**

**City Court  
Charges Filed: Criminal Traffic  
(Non-DUI)**

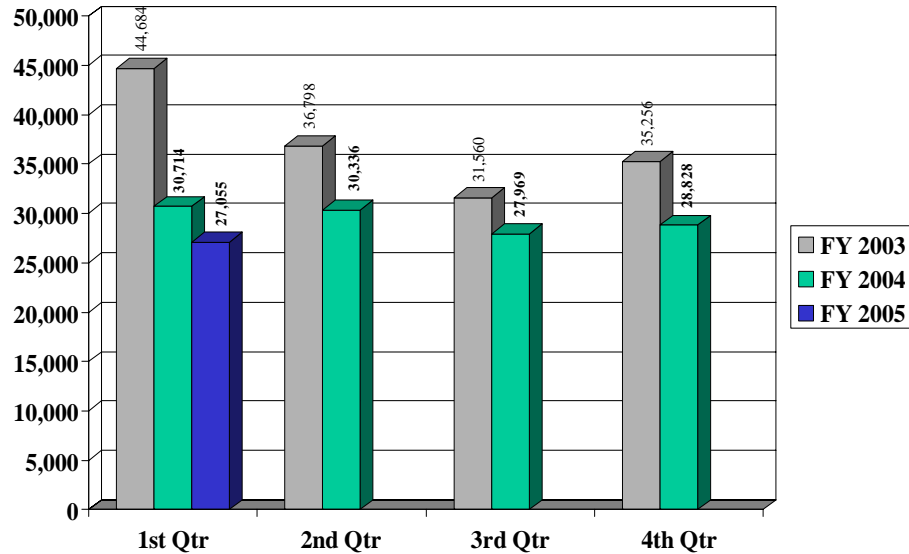


There has been a decrease of 261 charges filed (6%) when comparing the first quarters of fiscal years 2004 and 2005. Criminal traffic offenses include: driving on a suspended license, leaving the scene of an accident, reckless driving, exhibiting signs of acceleration, and speeding in excess of 20 miles over the speed limit.



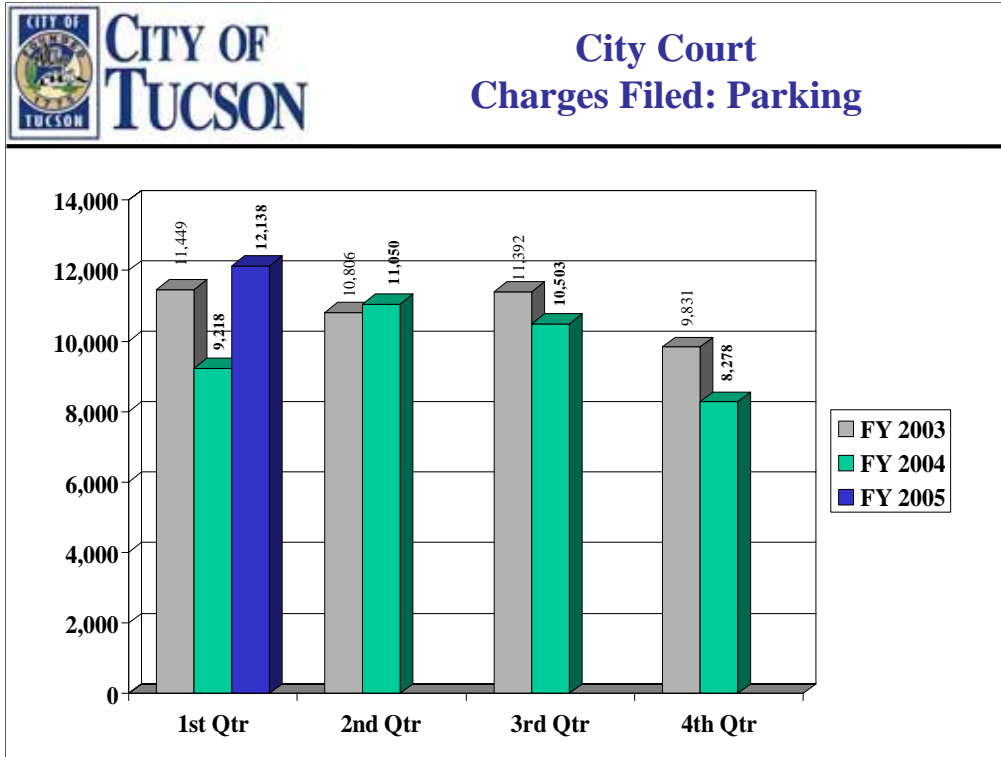
## CITY OF TUCSON

### City Court Charges Filed: Civil Traffic



The number of civil traffic charges filed continues to decline. There is a decrease of 3,663 charges (12%) in the number of civil traffic charges filed when comparing the first quarters of fiscal years 2004 to 2005

The number of civil traffic cases filed by the Tucson City Police has steadily declined from 2002 to 2004. In 2002 a total of 159,440 civil traffic charges were filed as compared to 117,847 during fiscal year 2004, a 26% decrease.



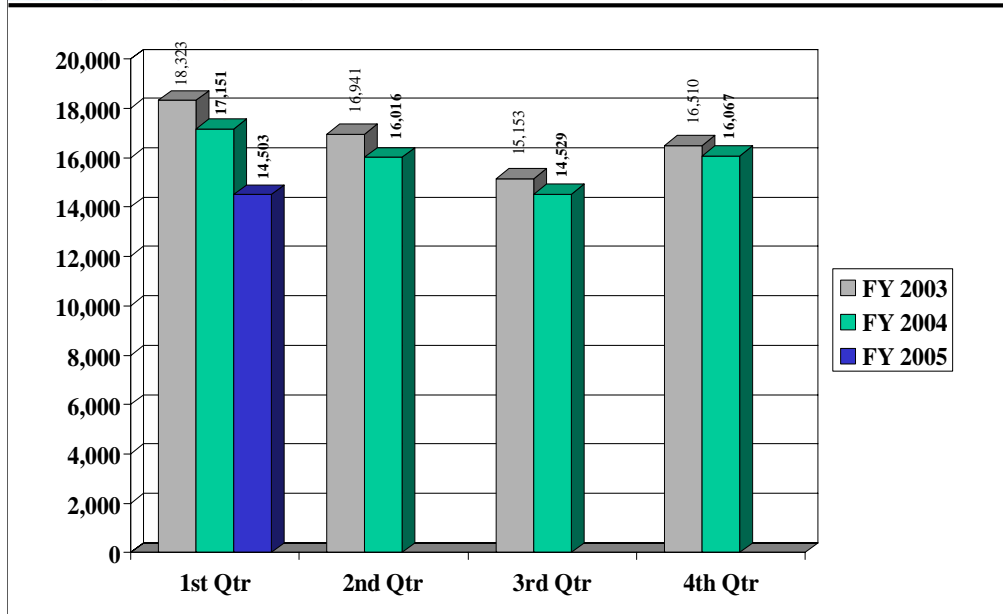
Parking charges filed has seen a dramatic increase of 2,904 (24%) when comparing the first quarters of fiscal years 2004 to 2005. The increase in parking charges would be consistent with the increase in parking enforcement agents at ParkWise. The City Court has added an additional special limited magistrate and one Senior Court Clerk (judicial assistant) to handle the increased case load of parking hearings and ensure that the public is served in a timely manner when they contest a parking ticket.

While the number of parking cases filed increased from 2002 to 2003, the number has declined from 2003 to 2004. In 2002 the number of parking charges filed was 39,251. In 2003 the number of parking charges filed was 43,478 which declined to 39,138 in 2004, a 11% decrease.



# CITY OF TUCSON

## City Court Charges Filed: Criminal Misdemeanor

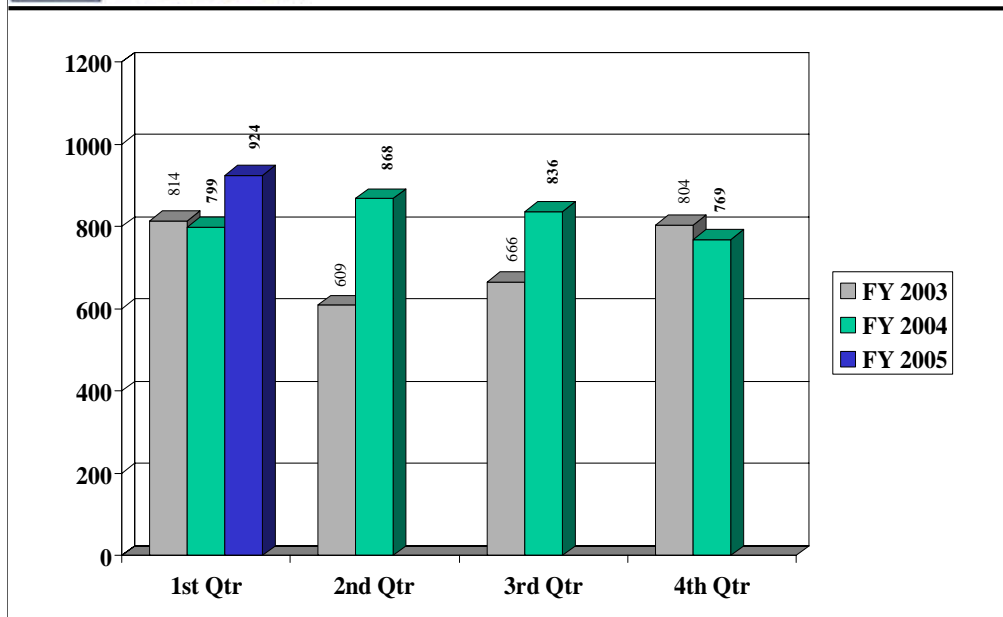


The number of criminal misdemeanor charges filed has decreased by 261 charges (16%) when comparing the first quarter of fiscal years 2004 and 2005. This continues a consistent trend of decreased criminal misdemeanor charges filed by the Tucson Police Department. .

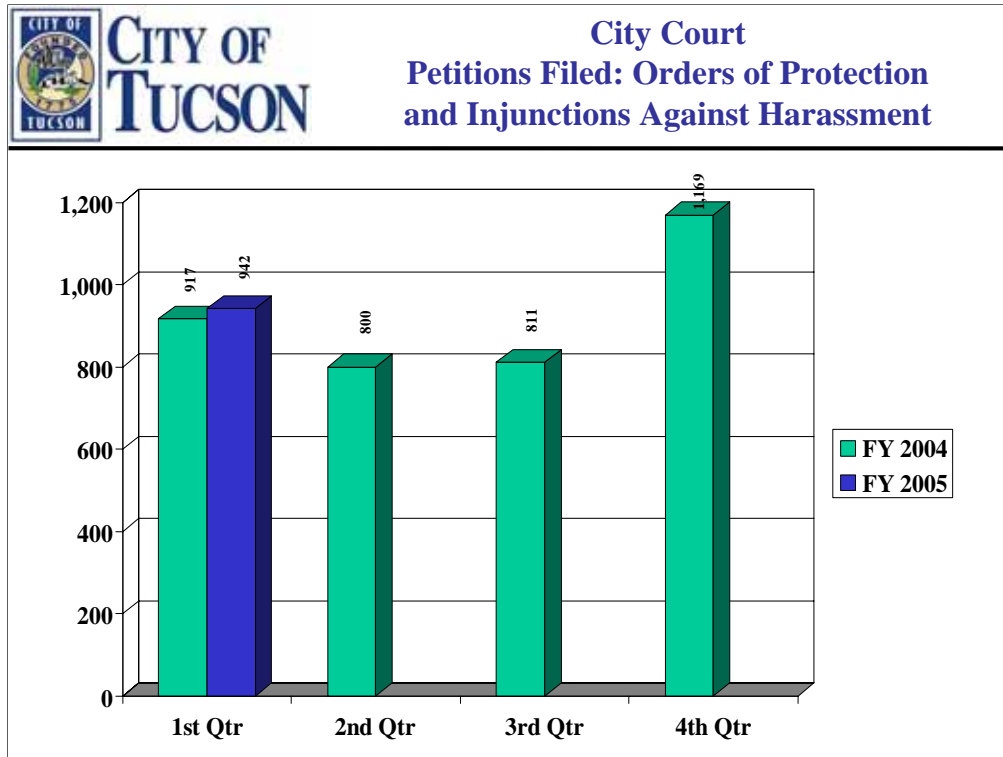


## CITY OF TUCSON

### City Court Charges Filed: Civil Ordinance



The number of civil ordinance charges filed has increased by 69 charges (14%) when comparing the first quarter of fiscal years 2004 and 2005. Civil ordinances include noise, junk motor vehicles, skateboarding, graffiti, etc.



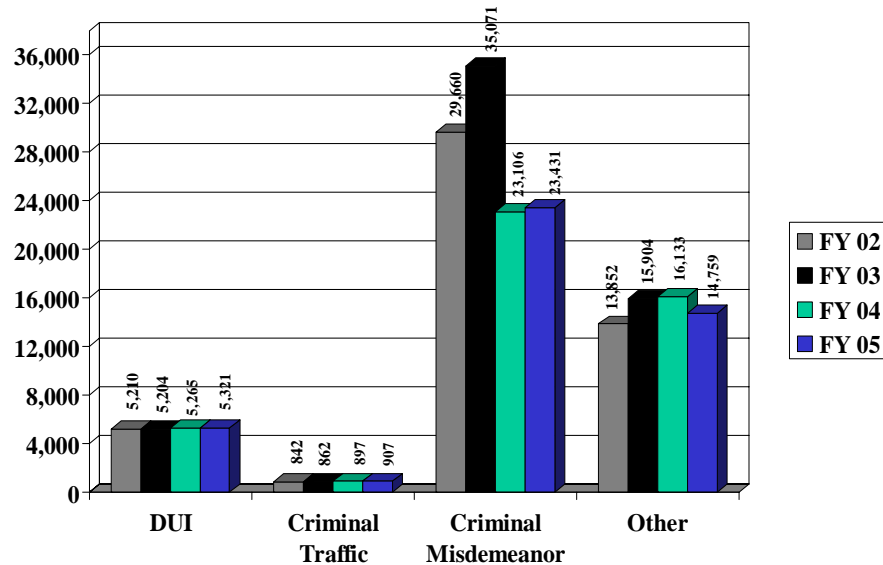
The number of domestic violence and harassment petitions filed in Tucson City Court has increased by 23 (2%) when comparing the first quarter of fiscal years 2004 and 2005.

The Court's filings for petitions in the domestic violence area (Orders of Protections and Injunctions Against Harassment) had been decreasing for most of 2004 as a result of a change to the Memorandum of Understanding (MOU) between the three courts (Superior, Justice and City) located in downtown Tucson. This MOU change reduced reliance on the Tucson City Court as the court of choice for obtaining Orders of Protections and Injunctions Against Harassment and has resulted in a significant reduction of petition filings at the Tucson City Court.



## CITY OF TUCSON

### City Court Outstanding Warrants



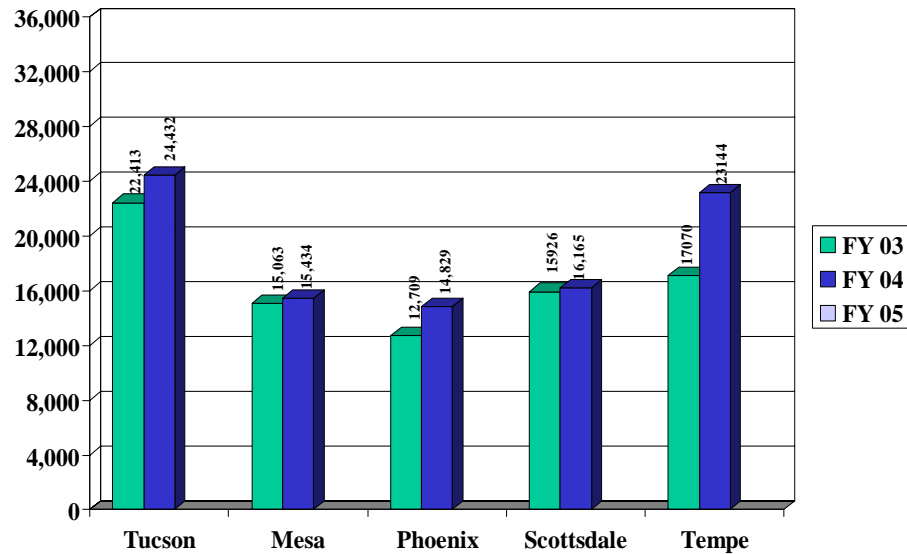
This slide depicts the number of outstanding (active) warrants for the court in total at any given time as a snapshot by fiscal year. The number of outstanding warrants for DUI has increased by 56 or 1%. Outstanding warrants for criminal traffic rose by 10 or less than 1%. Criminal misdemeanor outstanding warrants increased by 325 or 1.5%. Other warrants actually decreased by 1,374 or 9%.

DUI warrants remain fairly constant. Criminal misdemeanor and other warrants have shown a decrease other period tracked but remain fairly constant between FY 2004 and 2005.



## CITY OF TUCSON

### City Court Number of Cases per Magistrate by Municipality



This slide compares caseload of magistrates at court of similar size to Tucson City Court. Since this slide is based upon a fiscal year total it will only be updated in the end of fiscal year report.

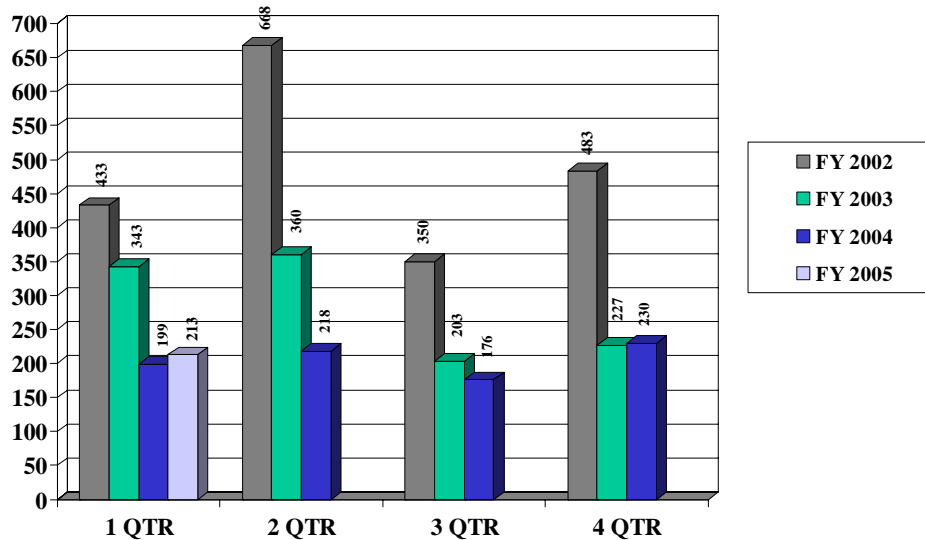
The number of cases per magistrate has remained consistently higher in Tucson than in other municipalities.





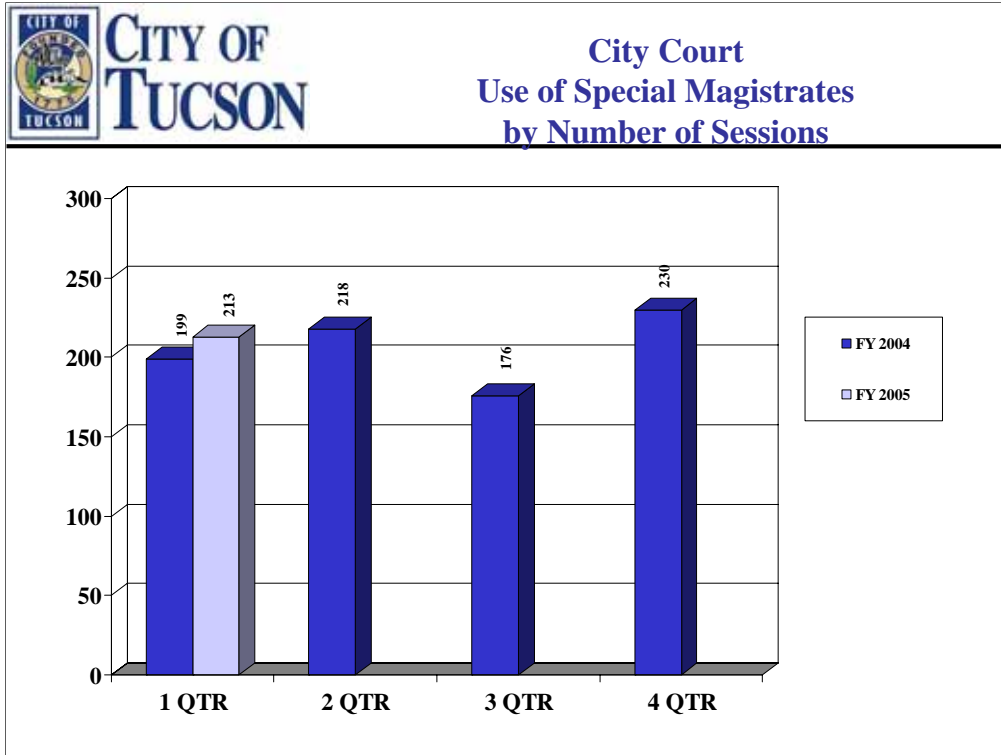
## CITY OF TUCSON

### City Court Use of Special Magistrates by Number of Sessions

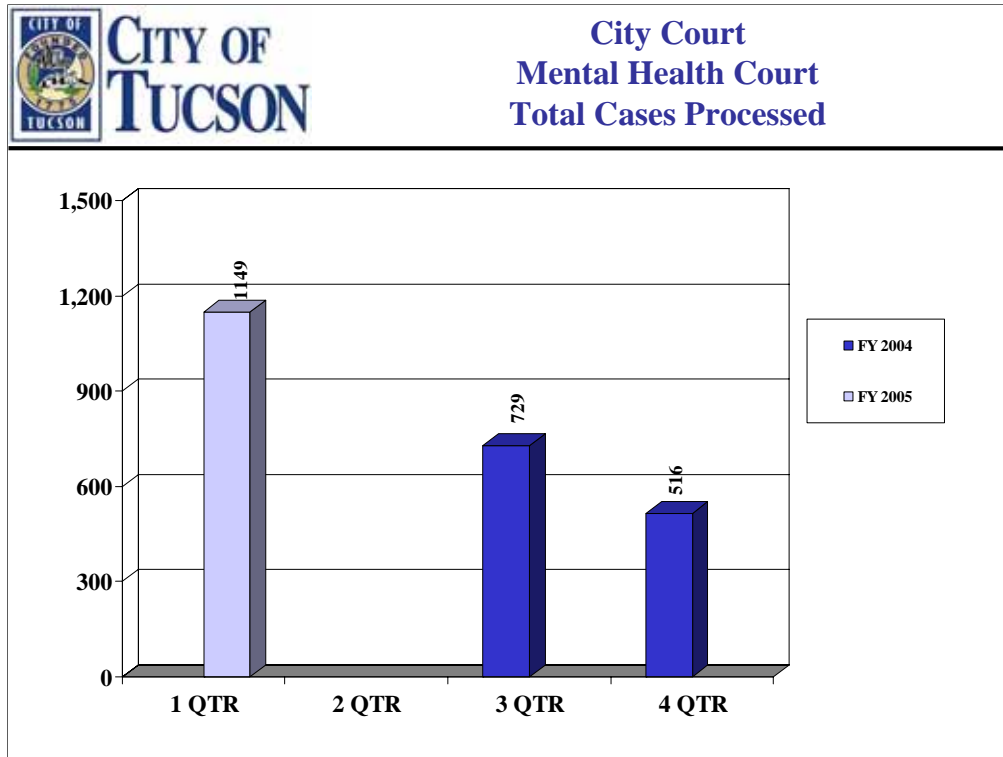


Tucson City Court saw only a very slight increase of 14 sessions assigned to a special magistrate when comparing the first quarters of fiscal year 2004 and 2005. There was a 17 session decrease from the 4th quarter FY 2004 to the first quarter FY 2005. The higher number of special magistrates used in the first quarter was needed to reduce the waiting time for parking hearings until the new limited special magistrate was hired.

The Court now uses an all-assigned calendar where each defendant is assigned to a particular judge at the time of arraignment. Magistrates are therefore required to clear their calendars before taking vacation and are not to rely on special magistrates to cover their caseload. Additionally, each case is only assigned to one magistrate and prosecutor which provides an incentive to them to better manage the caseload without relying upon the use of special magistrates.

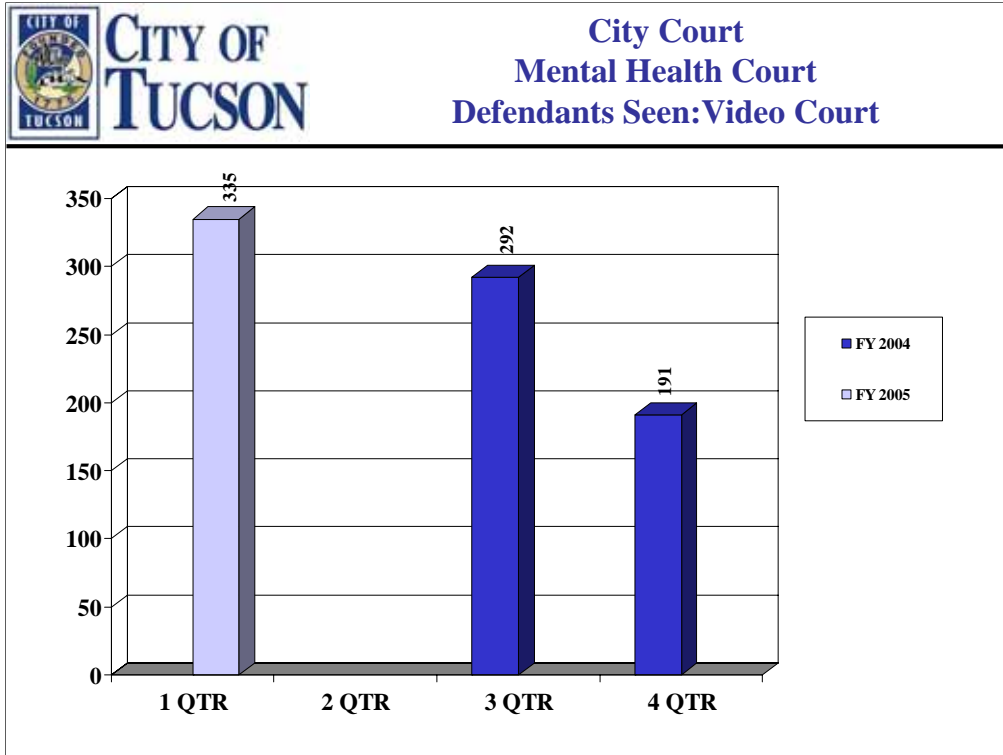


The use of special magistrates fell 41.3% from fiscal year 2002 to fiscal year 2003. The figures through 3<sup>rd</sup> quarter of 2004 show a continued decrease in use of special magistrates. The Court now uses an all-assigned calendar where each defendant is assigned to a particular judge at the time of arraignment. Magistrates are therefore required to clear their calendars before taking vacation and are not to rely on special magistrates to cover their caseload. Additionally, each case is only assigned to one magistrate and prosecutor which provides an incentive to them to better manage the caseload without relying upon the use of special magistrates.



## New Slide

This slide indicates the number of case files (cases) processed in the Mental Health Court at Tucson City Court. Defendants seen in Mental Health Court usually have multiple court cases pending. City Court makes every effort to consolidate pending court cases and resolve them all through the Mental Health Court. The Community Partnership of Southern Arizona (CPSA) works in conjunction with Mental Health Court to ensure that defendants are referred to the appropriate resources to address their mental illnesses. The efforts of the Mental Health Court result in defendants being routed to treatment rather than jail and have significantly reduced incarceration costs that would have otherwise been incurred by the City. If pending cases were not consolidated in Mental health Court they would remain distributed in the court's pending cases assigned to any number of magistrates.



New slide.

This slide indicates the number of defendants seen in the Mental Health video court. There was a 43% increase in the number of defendants seen from the 4th quarter FY 2004 to the 1st quarter FY 2005. There was only a 13% increase over the 3rd quarter FY 2004.

Defendants seen in video court are in custody but are not transported to the court. This produces significant time/cost savings for the court related to the marshals not having to perform transport duties.